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ORACLE AMERICA, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.  
Plaintiff,  
v.  
GOOGLE INC.  
Defendant.

Case No. CV 10-03561 WHA  
**[PROPOSED] ORDER GRANTING  
ORACLE'S MOTION IN LIMINE  
REGARDING ORACLE'S USE OF  
OTHER APIS**

Dept.: Courtroom 8, 19th Floor  
Judge: Honorable William Alsup

1  
2 This Court has read and considered Plaintiff Oracle America, Inc.'s Motion *in Limine*  
3 Regarding Oracle's Use of Other APIs, as well as any Opposition thereto, and any and all  
4 additional supporting papers.

5 Based thereon [and on statements made by counsel at the hearing on the Motion], IT IS  
6 HEREBY ORDERED THAT Oracle's Motion is GRANTED.

7 The portions of Dr. Astrachan and Dr. Cattell's analysis, opinions, and conclusions related  
8 to Oracle's use of or implementation of third-party "APIs" are stricken and their testimony on  
9 those matters identified in Oracle's motion are excluded under Federal Rules of Evidence 402,  
10 403, 702, 703, and *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993), and its  
11 progeny.

12 Specifically, Dr. Astrachan's opinions appearing at paragraphs 281-305 of his Opening  
13 Report, dated January 8, 2016, are stricken, and his related testimony is hereby excluded from  
14 trial. Dr. Cattell's opinions in paragraphs 31 and 50 of his Report, dated January 8, 2016 on the  
15 same subject are also stricken.

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17 IT IS SO ORDERED.

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THE HONORABLE WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE